



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,737	03/04/2004	Sanjay Wangoo	66329/33336	6367
23380	7590	09/26/2007		
TUCKER ELLIS & WEST LLP 1150 HUNTINGTON BUILDING 925 EUCLID AVENUE CLEVELAND, OH 44115-1414			EXAMINER IBRAHIM, MOHAMED	
			ART UNIT 2144	PAPER NUMBER
			NOTIFICATION DATE 09/26/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patents@tuckerellis.com
mary.erne@tuckerellis.com

Office Action Summary

Application No.

10/675,737

Applicant(s)

WANGOO ET AL.

Examiner

Mohamed Ibrahim

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>09/30/2003</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: Claim 25 is directed to a 'computer readable medium' however the phrase 'computer readable medium' is not found in the specification thus the phrase is lacking proper antecedent basis.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 9-16 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The implementation for distributing jobs is understood to be software per se as evidenced by claim 25, which states that the means for distributing jobs may be embodied in a computer readable medium. Therefore, claims 9-12 are rejected on the bases that the claims are directed to software alone.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 2144

4. Claims 1-32 are rejected under 35 U.S.C. 102(b) as being anticipated by Zingher 5897260.

Regarding claim 1, Zingher discloses a method for distributing a document to at least one destination (see e.g. col. 2 lines 35-40; a system for allocating printing jobs to different destinations), wherein the method comprises the steps of: receiving document data representative of an electronic document to be distributed (see e.g. col. 4 lines 7-21; a document for printing is received from a customer); creating a job by associating the document with at least one printer job language command, wherein the printer job language command includes instructions for the distribution of the job (see e.g. col. 4 line 67-col. 5 line 15; print job along with parameters which define the print job are created); and distributing, on the basis of the printer job language command, the job to at least one destination (see col. 5 line 22- col. 6 line 18; printing job is processed and forwarded to destination based on the capability of the receiving machine).

Regarding claim 2, Zingher discloses the step of submitting the job to a document distribution queue prior to distributing the job to the destination (see e.g. col. 3 line 52-col. 4 line 6).

Regarding claim 3, Zingher discloses wherein the document distribution queue does not point to the destination (see e.g. col. 3 lines 62-67).

Art Unit: 2144

Regarding claim 4, Zingher discloses upon receipt of the job by the document distribution queue, reading the print job language command by the document distribution queue (see e.g. col. 5 lines 22-39).

Regarding claim 5, Zingher discloses further comprising the step of, after reading the print job language command, distributing the job to a destination queue by the document distribution queue, wherein the destination queue points to the destination (see e.g. col. col. 3 line 52-col. 4 line 6).

Regarding claim 6, Zingher discloses wherein the destination is selected from the group consisting of an image forming device, an email system, a web publication system, and a document management system (see e.g. col. 4 lines 7-16 and col. 5 lines 2-9).

Regarding claim 7, Zingher discloses wherein the document is distributed to a plurality of destinations (see e.g. fig. 1 and col. 3 lines 25-39).

Regarding claim 8, Zingher discloses wherein the document is distributed to a plurality of destinations (see e.g. fig. 1 and col. 3 lines 25-39).

Claim 9 lists all the same elements of claim 1, but in system form rather than method form. Therefore, the supporting rationale of the rejection to claim 1 applies equally as well to claim 9.

Regarding claims 10-16, these claims correspond to claims 2-8 therefore they are rejection for the same reasons.

Claim 17 lists all the same elements of claim 1, but in a computer-implemented form rather than method form. Therefore, the supporting rationale of the rejection to claim 1 applies equally as well to claim 17.

Regarding claims 18-24, these claims correspond to claims 2-8 therefore they are rejection for the same reasons.

Claim 25 list all the same elements of claim 1, but in a computer readable medium form rather than method form. Therefore, the supporting rationale of the rejection to claim 1 applies equally as well to claim 25.

Regarding claims 26-32, these claims correspond to claims 2-8 therefore they are rejection for the same reasons.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please refer to form PTO-892 (Notice of Reference Cited) for a list of relevant prior art. Any inquiry concerning this communication or earlier

Art Unit: 2144

communications from the examiner should be directed to Mohamed Ibrahim whose telephone number is 571-270-1132. The examiner can normally be reached on Monday through Friday from 7:30AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William C. Vaughn, Jr. can be reached on 571-272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/MII/ *mt*

William Vaughn
WILLIAM VAUGHN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100